IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

WP(C).No. 31887 of 2006(U)

PETITIONER:

P.L. THOMAS,
PUTHIYAKUNNEL HOUSE, UZHAVOOR P.O.,
KOTTAYAM DISTRICT.

BY ADV. SRI.C.HARIKUMAR
SRI.ARAVINDA KUMAR BABU T.K.

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE CHIEF ENGINEER,
PWD ROAD SECTION, THIRUVANANTHAPURAM.

3. EXECUTIVE ENGINEER,
PWD ROAD DIVISION, KOTTAYAM.

4. ASSISTANT ENGINEER,
PWD ROAD SECTION, KURUVILANGAD.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N. RAMACHANDRAN NAIR, J.

W.P. (C) NO. 31887 OF 2006

Dated this the 10th day of January, 2007

J U D G M E N T

Heard the learned counsel appearing for the petitioner and the learned Government Pleader.

The prayer in this writ petition is for a direction to the respondents to construct the slab over the drainage canal in front of the petitioner's property to connect his property with the road. It is conceded that the slab at present is a weak slab and all that the petitioner wants is to replace it with a quality slab at petitioner's own cost. The scheme was approved by Ext.P2 and the petitioner has deposited Rs.11,000/- towards the rectification charge. I do not think the PWD should involve in such a small work more so when the petitioner mainly uses the slab. If permitted he will necessarily construct quality slab over the drainage canal connecting the road and the petitioner's property. The 4th respondent is directed to give specification of the slab to be constructed by the petitioner at his own cost. The petitioner

should start the work and complete it in terms of the specifications. There will be a direction to the respondents 3 and 4 to refund the amount already deposited by the petitioner within two weeks after the completion of construction of the slab by the petitioner.

The writ petition is disposed of as above.

C.N. RAMACHANDRAN NAIR,
JUDGE

vps

KURIAN JOSEPH, JUDGE

OP NO.

JUDGMENT

21st DECEMBER, 2006